

EUGENE CITY COUNCIL

AGENDA ITEM SUMMARY



Action: Ordinance Concerning Metro Plan Amendment Procedures;
Amending Sections 9.0500, 9.7055, 9.7700, 9.7705, 9.7715, 9.7720, 9.7725,
9.7730 and 9.7735 of the Eugene Code, 1971; and Repealing Sections 9.7740,
9.7745 and 9.7750 of that Code

Meeting Date: November 24, 2014
Department: Planning and Development
www.eugene-or.gov

Agenda Item Number: 5
Staff Contact: Alissa Hansen
Contact Telephone Number: 541-682-5508

ISSUE STATEMENT

The Eugene City Council will take action on land use code amendments to implement recently adopted policy changes to Chapter IV of the Metro Plan regarding the review and approval process of Metro Plan amendments.

BACKGROUND

In 2013, Eugene, Springfield and Lane County elected officials jointly adopted amendments to Chapter IV of the Metro Plan. Chapter IV (titled Metro Plan Review, Amendments and Refinements) provides the decision-making structure and process for amendments to the Metro Plan. The goal of this chapter is to “ensure that the Metro Plan is responsive to the changing conditions, needs, and attitudes of the community.”

Consistent with this goal, the purpose of the amendments to Chapter IV of the Metro Plan was to respond to changing conditions brought about by ORS 197.304 (commonly referred to as House Bill 3337) including adoption of separate urban growth boundaries, and to clarify which governing bodies will participate in decision-making. Those amendments changed how the Metro Plan is amended and support a framework for needed planning collaboration among the jurisdictions while respecting the autonomy of each. Amendments to Eugene’s land use code are necessary to codify these changes. An ordinance reflecting these changes is provided as Attachment A.

The joint planning commissions of Eugene, Springfield and Lane County held a public hearing on October 23, 2014 to consider the code amendments. No testimony was received prior to or at the public hearing. Following the public hearing, the planning commissions deliberated and provided recommendations to their respective city council and the Board of Commissioners. All three planning commissions voted unanimously to recommend approval of code amendments as drafted.

During deliberations, the Eugene Planning Commission discussed the proposed revisions to the dispute resolution process between Eugene, Springfield and Lane County. The former process referred disputes to the Metropolitan Planning Committee (MPO). The new process refers disputes to the mayor(s) of the effected city/cities and the Chair of the Board of Commissioners. The commission expressed support for ensuring that the council operating agreements would require the mayor to check in with the city council and get their direction before agreeing to any particular path or recommendation.

Subsequently, the joint elected officials of Eugene, Springfield and Lane County held a public hearing on November 10, 2014. At the hearing, testimony was heard from John Barofsky regarding the conflict resolution process. Mr. Barofsky, who is a member of the Eugene Planning Commission, spoke as a private citizen. Mr. Barofsky testified about the possible implications of the new conflict resolution code provisions providing the mayor a pocket veto. The City Council discussed this issue a year ago when the Metro Plan amendments were adopted. At that time the consensus was to address this issue the next time the council revisits the Operating Agreements.

The Lane County Board of Commissioners is considering amendments to the version of the land use code that applies between the Eugene city limits and the urban growth boundary (also referred to as the Urban Transition Code). The proposed amendments are identical to those being considered for inside the city limits. Although adopted by Lane County, Eugene is responsible for administering this code. Springfield and Lane County are also considering similar amendments to their respective land use/development codes, so that all three jurisdictions will operate under the same amendment procedures for the Metro Plan.

RELATED CITY POLICIES

Findings addressing consistency with related policies, including provisions of the Metro Plan, are included as an exhibit to the proposed ordinance (Exhibit A of Attachment A).

COUNCIL OPTIONS

Following deliberations, the City Council may consider the following options:

1. Adopt the ordinance.
2. Adopt the ordinance with specific modifications as determined by the City Council.
3. Deny the ordinance.

CITY MANAGER'S RECOMMENDATION

The City Manager recommends adoption of the ordinance as contained in Attachment A.

SUGGESTED MOTION

Move to adopt Council Bill 5131, an ordinance concerning Metro Plan Amendment Procedures.

ATTACHMENTS

A. Ordinance and Findings

FOR MORE INFORMATION

Staff Contact: Alissa Hansen

Telephone: 541-682-5508

Staff E-Mail: alissa.h.hansen@ci.eugene.or.us